

I feel the FCC should grant approval to the merger between XM and Sirius. By setting up a situation where two companies were allowed to bid for exclusive content and develop independent technology platforms, the FCC created a situation where consumers can't one stop shop for content or hardware. I like Baseball and Football but I can't get both with one provider. This is not the case with TV. I do not need two TV's to get Baseball and Football. I also do not require multiple radios to receive different stations... they all work on common technology platforms. When you granted FM radio HD radio licenses you mandated the technology platform, the same was true for DTV. This lack of a pre-defined platform combined with the right to buy exclusive content hurt consumers. This situation was created by the FCC.

I am aware you mandated a common radio platform, but you didn't set up conditions that "promote" a common platform. Now given the fierce competition with HD radio and other technologies such as Ipods, music streamed over cell phones and wired and wireless Internet radio platforms such as Slacker, I feel that two Satellite radio companies cannot compete effectively in the market. Ultimately, one will fail. Then you will have a monopoly without the opportunity to safeguard the consumer. By approving the merger, you have the opportunity to allow consumers to opt out of adult content both in consumption and financing. I believe strongly that they should have the right to broadcast adult content with NO (I repeat NO) censorship but consumers should also have the right to not support it. This will not happen without a merger. You also have the opportunity to limit price increases and demand a percentage of content be for the public good (Children's programming (niche programming), Political Programming and Governmental programming). This would include the requirement to broadcast c-span and other public good programming without preemption for Football or other "special" programming, which Sirius is known to do.

Simply put, this is the time to help redirect Satellite radio for the next century and correct the decisions of the past while you have the chance and protect consumers' access to a diverse platform of content that can only come from a combined company.

Sincerely,

Randy Tyner